

**EXHIBIT 1 –
“Summons and Complaint”**

**EXHIBIT 1 –
“Summons and Complaint”**

SUM-100

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT: Harrah's Laughlin, LLC, and DOES 1 TO 20
(AVISO AL DEMANDADO):

**FILE
BY FAX**

**YOU ARE BEING SUED BY PLAINTIFF: LENA SCHIBYE
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

SUPERIOR COURT OF CALIFORNIA
COUNTY OF NEVADA

JUN 05 2020

JASON B. GALKIN
EXECUTIVE CLERK & CLERK
By: T. RUIZ, Deputy Clerk

NOTICE: You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **AVISO:** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted puede usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumple con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es): Superior Court of California, County of Nevada
201 Church Street
Nevada City, 95959

CASE NUMBER: (Número del Caso):

CV20-084677

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es): Kathryn T. Camerlengo
GRAY*DUFFY, LLP, 555 Twin Dolphin Drive, Suite 300, Redwood City, CA 94065

DATE:
(Fecha) 6/5/2020

Clerk, by
(Secretario) T. Ruiz Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010).)



NOTICE TO THE PERSON SERVED: You are served

- ☐ as an individual defendant.
- ☐ as the person sued under the fictitious name of (specify):
- ☒ on behalf of (specify): *Harrah's Laughlin LLC*
under: ☐ CCP 418.10 (corporation) ☐ CCP 418.60 (minor)
☐ CCP 418.20 (defunct corporation) ☐ CCP 418.70 (conservatee)
☐ CCP 418.40 (association or partnership) ☐ CCP 418.90 (authorized person)
☒ other (specify): *LLC*
- ☐ by personal delivery on (date)

Page 1 of 1

Form Adopted for Mandatory Use
Judicial Council of California
SUM-100 (Rev. July 1, 2009)

SUMMONS

Code of Civil Procedure §§ 412.20, 485
www.courtinfo.ca.gov

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PLD-PI-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
 Kathryn T Camarlingo, Esq [SB NO. 305042]
 GRAY*DUFFY, LLP
 555 Twin Dolphin Drive, Suite 300
 Redwood City, CA 94065

TELEPHONE NO: (850) 385-7343 FAX NO (Optional): (850) 385-6225
 E-MAIL ADDRESS (Optional): kcamarlingo@grayduffy.com
 ATTORNEY FOR (Name): Plaintiff LENA SCHIBYE

SUPERIOR COURT OF CALIFORNIA, COUNTY OF NEVADA
 STREET ADDRESS: 201 Church Street
 MAILING ADDRESS:
 CITY AND ZIP CODE: Nevada City, 95959
 BRANCH NAME: NEVADA CITY COURTHOUSE

PLAINTIFF: LENA SCHIBYE
 DEFENDANT: HARRAH's LAUGHLIN, LLC

☒ DOES 1 TO 20

COMPLAINT—Personal Injury, Property Damage, Wrongful Death
☐ AMENDED (Number):
 Type (check all that apply):
☐ MOTOR VEHICLE ☒ OTHER (specify):
☐ Property Damage ☐ Wrongful Death
☒ Personal Injury ☐ Other Damages (specify):

Jurisdiction (check all that apply):
☐ ACTION IS A LIMITED CIVIL CASE
 Amount demanded ☐ does not exceed \$10,000
☐ exceeds \$10,000, but does not exceed \$25,000
☒ ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)
☐ ACTION IS RECLASSIFIED by this amended complaint
☐ from limited to unlimited
☐ from unlimited to limited

FOR COURT USE ONLY

FILED
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF NEVADA
 JUN 05 2020
 JASON B. GALKIN
 EXECUTIVE OFFICER & CLERK
 By: T. RUIZ, Deputy Clerk

CASE NUMBER: CW 20-084677

1. Plaintiff (name or names): LENA SCHIBYE
 alleges causes of action against defendant (name or names):
 HARRAH's LAUGHLIN, LLC
2. This pleading, including attachments and exhibits, consists of the following number of pages: 2
3. Each plaintiff named above is a competent adult
 - a. ☐ except plaintiff (name):
 - (1) ☐ a corporation qualified to do business in California
 - (2) ☐ an unincorporated entity (describe):
 - (3) ☐ a public entity (describe):
 - (4) ☐ a minor ☐ an adult
 - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify):
 - (5) ☐ other (specify):
 - b. ☐ except plaintiff (name):
 - (1) ☐ a corporation qualified to do business in California
 - (2) ☐ an unincorporated entity (describe):
 - (3) ☐ a public entity (describe):
 - (4) ☐ a minor ☐ an adult
 - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify):
 - (5) ☐ other (specify):

☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

**FILE
 BY FAX**

PLD-PJ-001

SHORT TITLE: Schibye v. Harrah's Laughlin, LLC

CASE NUMBER

4. ☐ Plaintiff (name):
is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

- a. ☒ except defendant (name): HARRAH'S LAUGHLIN, LLC

(1) ☐ a business organization, form unknown

(2) ☐ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☒ other (specify):
a limited liability company

- c. ☐ except defendant (name):

(1) ☐ a business organization, form unknown

(2) ☐ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

- b. ☐ except defendant (name):

(1) ☐ a business organization, form unknown

(2) ☐ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

- d. ☐ except defendant (name):

(1) ☐ a business organization, form unknown

(2) ☐ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

☐ Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

- a. ☒ Doe defendants (specify Doe numbers): 1-10 were the agents or employees of other named defendants and acted within the scope of that agency or employment.

- b. ☒ Doe defendants (specify Doe numbers): 11-20 are persons whose capacities are unknown to plaintiff.

7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names):

8. This court is the proper court because

a. ☐ at least one defendant now resides in its jurisdictional area.

b. ☐ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.

c. ☒ Injury to person or damage to personal property occurred in its jurisdictional area.

d. ☐ other (specify):

9. ☐ Plaintiff is required to comply with a claims statute, and

a. ☐ has complied with applicable claims statutes, or

b. ☐ is excused from complying because (specify):

PLO-PI-001

SHORT TITLE: Schbye v. Harrah's Laughlin, LLC

CASE NUMBER:

10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. ☐ Motor Vehicle
- b. ☒ General Negligence
- c. ☒ Intentional Tort
- d. ☐ Products Liability
- e. ☒ Premises Liability
- f. ☐ other (specify):

11. Plaintiff has suffered

- a. ☒ wage loss
- b. ☐ loss of use of property
- c. ☒ hospital and medical expenses
- d. ☒ general damage
- e. ☐ property damage
- f. ☒ loss of earning capacity
- g. ☒ other damage (specify): Severe emotional distress

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
- b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
- (2) ☒ punitive damages

The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):

- (1) ☒ according to proof
- (2) ☐ in the amount of: \$

15. ☒ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers): 5. a.

Date: June 5, 2020

Kathryn T. Camerlengo

(TYPE OR PRINT NAME)

Kathryn T. Camerlengo
(SIGNATURE OF PLAINTIFF OR ATTORNEY)

PLO-PI-001 (Rev. January 1, 2007)

**COMPLAINT—Personal Injury, Property
Damage, Wrongful Death**

Page 3 of 3

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PLD-PI-001(2)

SHORT TITLE: Schibye v. Harrah's Laughlin, LLC

CASE NUMBER:

FIRST

CAUSE OF ACTION—General Negligence

Page 4

(number)

ATTACHMENT TO ☒ Complaint ☐ Cross-Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): LENA SCHIBYE

alleges that defendant (name): HARRAH'S LAUGHLIN, LLC

☒ Does 1 to 10

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): August 31, 2019

at (place): Harrah's Hotel and Casino in South Lake Tahoe.

(description of reasons for liability):

16. On the evening of August 31, 2019, Ms. Schibye and her friend went to Harrah's Hotel and Casino in South Lake Tahoe. On their way out, Plaintiff and her friend stopped to listen to the music at the dance floor in Harrah's Casino.
17. A male patron, Doe 1, grabbed and pulled Plaintiff to the dance floor and immediately became overly aggressive with her. After Plaintiff was able to step away from Doe 1, he began dancing with Plaintiff's friend. After no more than a minute of dancing with Doe 1, she too refused to dance with him and suddenly he was grabbing Plaintiff again. Doe 1 spun Plaintiff around with such aggressiveness that she lost her balance, fell and injured her right wrist.
18. Defendant, as operator of a place of public accommodation, owed a duty of reasonable care to Plaintiff. Specifically, Defendant owed Plaintiff a duty to protect Plaintiff from injuries arising from the unruly and intoxicated patrons of the Casino.
19. By serving alcohol to Doe 1, Defendant Casino contributed to his intoxication and failed to properly secure the dance floor from unruly, obnoxious and intoxicated patrons like Doe 1 who foreseeably could injure someone like Plaintiff.

Page 1 of 1

PLD-PI-001(3)

SHORT TITLE: Schibye v. Harrah's Laughlin, LLC

CASE NUMBER

SECOND
(number)**CAUSE OF ACTION—Intentional Tort**

Page 5

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint*(Use a separate cause of action form for each cause of action.)*

IT-1. Plaintiff (name): LENA SCHIBYE

alleges that defendant (name): HARRAH'S LAUGHLIN, LLC

☒ Does 1 to 10

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant intentionally caused the damage to plaintiff

on (date): August 31, 2019

at (place): Harrah's Hotel and Casino in South Lake Tahoe.

(description of reasons for liability):

Casino owners are liable for the actions of other guests if the harm is foreseeable. The courts require casinos to do everything reasonably possible to protect their patrons from foreseeable events that could result in injuries.

On August 31, 2019, Doe 1, a male patron, quickly grabbed and pulled Plaintiff to the Casino's dance floor. He immediately became overly aggressive. Doe 1 then began dancing with Plaintiff's friend, but less than a minute of dancing with him, she quickly refused to dance with him and suddenly he was grabbing Plaintiff again. He spun her around with such aggressiveness that she lost her balance, fell, injuring her right wrist. At no time did Plaintiff do or say anything which in any way justified the excessive force deliberately used by Doe 1. At no time did Plaintiff consent to the acts of Doe as alleged above.

Defendant Harrah's should have removed Doe 1 from the Casino prior to Plaintiff suffering serious injuries as a result of his conduct.

Plaintiff on information and belief contends Defendant Harrah's overly served Doe 1 alcohol, thus causing him to become overly aggressive toward Plaintiff and causing her injuries.

Page 1 of 1

PLD-PI-001(4)

SHORT TITLE:

Schibye v. Harrah's Laughlin, LLC

CASE NUMBER

THIRD

(number)

CAUSE OF ACTION—Premises Liability

Page SIX

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint
 (Use a separate cause of action form for each cause of action.)

Prem.L-1. Plaintiff (name): LENA SCHIBYE

alleges the acts of defendants were the legal (proximate) cause of damages to plaintiff.

On (date): August 31, 2019

plaintiff was injured on the following premises in the following

fashion (description of premises and circumstances of injury):

A male patron, Doe 1, grabbed and pulled Plaintiff to the Defendant Casino's dance floor and immediately became overly aggressive with her. After plaintiff was able to step away from Doe 1, he began dancing with Plaintiff's friend. After no more than a minute of dancing with Doe 1, she too refused to dance with him and suddenly Doe 1 was grabbing Plaintiff again. Doe 1 spun Plaintiff around with such aggressiveness that she lost her balance, fell and injured her right wrist.

Prem.L-2. ☒ Count One—Negligence The defendants who negligently owned, maintained, managed and operated the described premises were (names):
 HARRAH'S LAUGHLIN, LLC

☒ Does 1 to 20

Prem.L-3. ☒ Count Two—Willful Failure to Warn [Civil Code section 846] The defendant owners who willfully or maliciously failed to guard or warn against a dangerous condition, use, structure, or activity were (names):
 HARRAH'S LAUGHLIN, LLC

☒ Does 1 to 20Plaintiff, a recreational user, was ☐ an invited guest ☐ a paying guest.

Prem.L-4. ☒ Count Three—Dangerous Condition of Public Property The defendants who owned public property on which a dangerous condition existed were (names):
 HARRAH'S LAUGHLIN, LLC

☒ Does 1 to 20

- a. ☐ The defendant public entity had ☒ actual ☐ constructive notice of the existence of the dangerous condition in sufficient time prior to the injury to have corrected it.
 b. ☐ The condition was created by employees of the defendant public entity.

Prem.L-5. a. ☒ Allegations about Other Defendants The defendants who were the agents and employees of the other defendants and acted within the scope of the agency were (names):

☒ Does 1 to 20

- b. ☐ The defendants who are liable to plaintiffs for other reasons and the reasons for their liability are ☐ described in attachment Prem.L-5.b ☐ as follows (names):

Page 1 of 1

**EXHIBIT 2 –
“Proof of Service”**

**EXHIBIT 2 –
“Proof of Service”**



Notice of Service of Process

Transmittal Number: **null / ALL**
Date Processed: **21685433**
06/30/2020

Primary Contact: Service of Process Box
Caesars Entertainment Corporation
1 Caesars Palace Dr
Las Vegas, NV 89109-8969

Electronic copy provided to: Dina Brown
Brenda Sanchez
Belinda BornReid
Maya Clark

Entity: Harrah's Laughlin, LLC
Entity ID Number 1721013

Entity Served: Harrah's Laughlin, LLC

Title of Action: Lena Schibye vs. Harrah's Laughlin, LLC

Document(s) Type: Summons/Complaint

Nature of Action: Personal Injury

Court/Agency: Nevada County Superior Court, CA

Case/Reference No: CU20-084677

Jurisdiction Served: Nevada

Date Served on CSC: 06/26/2020

Answer or Appearance Due: 30 Days

Originally Served On: CSC

How Served: Personal Service

Sender Information: Kathryn T Cameriengo
650-365-7343

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC
251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com